

VENDOR

State of West Virginia Department of Administration Purchasing Division 2019 Washington Street East Post Office Box 50130 Charleston, WV 25305-0130

TERMS OF SALE

Request for Quotation

RFQ NUMBER MCH70450 1

FREIGHT TERMS

ADDRESS CORRESPONDENCE TO ATTENTION OF: ROBERTA WAGNER 304-558-0067

RFO COPY TYPE NAME/ADDRESS HERE MEDICAL SUPPLY CO. WHEELING W.

SHIP VIA

WV Dept Of Health & Human Res Materials Management 900 Bullitt St Charleston, WV 25301

DATE PRINTED 10/25/2006 OPENING TIME 91:30PM 11/16/2006 BID BID OPENING DATE: CAT. UNIT PRICE AMOUNT QUANTITY UOP ITEM NUMBER LINE THE AGENCY DHHR, IS SOLICITING BIDS FOR AN OPEN-ENDED CONTRACT FOR DISPOSABLE SPECULUM, WELCH ALLYN OR EQUAL. VENDORS BIDDING ON ALTERNATE PRODUCT\$ SHOULD SUBMIT PRODUCT SAMPLES AND PRODUCT LITERATURE WITH THE BID. THIS INFORMATION MUST BE PROVIDED PRIOR TO AWARD. 400 BK A5304M 15,040.00 18.80 BX DISP VAG SPEL 25/BX MEDIUM A50345 400 134 DISP NAG SPEC 15,040.00 18,80 BX 25/BX SMALL 30, 680.00 THE ABOVE MUST BE OLDERED IN LOTS OF 300 BX MIX & MATCH TO QUALIFY FOR FREE SHIPPING. BX 475-97-01-001 0001 34.60 21,680.00 ЮX 800 WELCH ALLYN KLEENSPEC DISPOSABLE VAGINAL SPECULUM ITEM #58000 OR EQUAL, 25 PER BOX, SIZE SMALL BX475-97-01-002 0002 34,60 680.00 800 WELCH ALLYN KLEENSPEC DISPOSABLE VAGINAL SPECULUM SEE REVERSE SIDE FOR TERMS AND CONDITIONS SIGNATURE 304-232-2820 Charles R. Duhi 56-142-1931 ADDRESS CHANGES TO BE NOTED ABOVE SUS, MGR

GENERAL TERMS & CONDITIONS REQUEST FOR QUOTATION (RFQ) AND REQUEST FOR PROPOSAL (RFP)

- 1. Awards will be made in the best interest of the State of West Virginia.
- 2. The State may accept or reject in part, or in whole, any bid.
- 3. All quotations are governed by the West Virginia Code and the Legislative Rules of the Purchasing Division.
- 4. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125.00 registration fee.
- 5. All services performed or goods delivered under State Purchase Orders/Contracts are to be continued for the term of the Purchase Order/Contract, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods, this Purchase Order/Contract becomes void and of no effect after June 30.
- 6. Payment may only be made after the delivery and acceptance of goods or services.
- 7. Interest may be paid for late payment in accordance with the West Virginia Code.
- 8. Vendor preference will be granted upon written request in accordance with the West Virginia Code.
- 9. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
- 10. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
- 11. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern all rights and duties under the Contract, including without limitation the validity of this Purchase Order/Contract.
- 12. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
- 13. BANKRUPTCY: In the event the vendor/contractor files for bankruptcy protection, this contract is automatically null and void, and is terminated without further order.
- 14. HIPAA Business Associate Addendum The West Viginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, and available online at the Purchasing Division's web site (http://www.state.wv.us/admin/purchase/vrc/hipaa.htm) is hereby made part of the agreement. Provided that, the Agency meets the definition of a Covered Entity (45 CFR §160.103) and will be disclosing Protected Heal,h Information (45 CFR §160.103) to the vendor.

INSTRUCTIONS TO BIDDERS

1. Use the quotation forms provided by the Purchasing Division.

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2. SPECIFICATIONS: Items offered must be in compliance with the specifications. Any must be clearly indicated by the bidder. Alternates offered by the bidder as EQUAL to clearly defined. A bidder offering an alternate should attach complete specifications at Purchasing Division may waive minor deviations to specifications.

2006 NOV -8 P 1: 18

3. Complete all sections of the quotation form.

PURCHASING DIVISION STATE OF WV

- 4. Unit prices shall prevail in cases of discrepancy.
- 5. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
- 6. BID SUBMISSION: All quotations must be delivered by the bidder to the office listed below prior to the date and time of the bid opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications.

SIGNED BID TO:

Department of Administration Purchasing Division 2019 Washington Street East Post Office Box 50130 Charleston, WV 25305-0130



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SEE ADDRESS CORRESPONDENCE TO ATTENTION OF:

ROBERTA WAGNER 304-558-0067

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111£C		FEI	N				ADDRESS CHA	INGES TO BE NOTED ABOVE

RFQ No.	MCH	10450	
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AFFIDAVIT

West Virginia Code §5A-3-10a states:

No contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and the debt owned is an amount greater than one thousand dollars in the aggregate.

DEFINITIONS:

"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

"Debtor" means any individual, corporation, partnership, association, limited liability company or any other form or business association owing a debt to the state or any of its political subdivisions.

"Political subdivision" means any county commission; municipality; county board of education; any instrumentality established by a county or municipality; any separate corporation or instrumentality established by one or more counties or municipalities, as permitted by law; or any public body charged by law with the performance of a government function or whose jurisdiction is coextensive with one or more counties or municipalities.

"Related party" means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceed five percent of the total contract amount.

EXCEPTION:

The prohibition of this section does not apply where a vendor has contested any tax administered pursuant to chapter eleven of this code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

LICENSING:

The vendor must be licensed in accordance with any and all state requirements to do business with the state of West Virginia.

CONFIDENTIALITY:

The vendor agrees that he or she will not disclose to anyone, directly or indirectly, any such personally identifiable information or other confidential information gained from the agency, unless the individual who is the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the agency's policies, procedures and rules. Vendors should visit www.state.wv.us/admin/purchase/privacy for the Notice of Agency Confidentiality Policies.

Under penalty of law for false swearing (West Virginia Code, §61-5-3), it is hereby certified that the vendor acknowledges the information in this said affidavit and are in compliance with the requirements as stated.

Vendor's Name:	MEDICAL	30C	ru w	+	
Authorized Signatu	ire: Charles	R.	Duhl	Date:	11-06-06



> mZDOR

DATE PRINTED

State of West Virginia Department of Administration Purchasing Division 2019 Washington Street East Post Office Box 50130 Charleston, WV 25305-0130

Request for Quotation

RFQ NUMBER MCH70450

PAGE 1

FREIGHT TERMS

ADDRESS CORRESPONDENCE TO ATTENTION OF:
ROBERTA WAGNER
304-558-0067

0 H - D - F O

SHIP VIA

*709040506 304-232-2820 MEDICAL SUPPLY COMPANY INC PO BOX 6584 1303 EOFF STREET WHEELING WV 26003

TERMS OF SALE

DIVISION OF HEALTH MCH WAREHOUSE ATTN: FAMILY PLANNING 151 ELEVENTH AVENUE SOUTH CHARLESTON, WV 25303

F.O.B.

11/02/2006 11/16/2006 11/16/2006		BID	OPENING TIME	01:30PM	
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SEE REVERSE SIDE FOR TERMS AND CONDITIONS SIGNATURE DATE					
TITLE FEIN				ADDRESS CHANGES TO BE NOTED ABOVE	

WV-36a STATE OF WEST VIRGINIA	Buyer:	Page	Req. or P. O. No.:
PURCHASING CONTINUATION SHEET	Spending Ur	<u> </u>	MCH70450
Vendor:	opondang of	(116.	
F	tequisition I	Vo.:	MCH70450
ADDENDUM ACKNOW	LEDGEMEI	VT	
I hereby acknowledge receipt of the following che the necessary revisions to my proposal, plans an	ecked adde d/or specifi	ndum(s cations,) and have made etc.
Addendum No.'s:			
No. 1			
No. 2			
No. 3	. •		
No. 4			
No. 5			
I understand that failure to confirm the recereigection of bids.	ipt of the a	ddendu	m(s) is cause for
	Charl	is R.	Dull
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Exhibit 10 Rev. 11/96			